

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

<b>ESCORT, INC.,</b>	)	
	)	
Plaintiff,	)	<b>Case No. 1:18-cv-00323-SJD-KLL</b>
v.	)	
	)	<b>Judge Susan J. Dlott</b>
<b>NOLIMITS ENTERPRISES, INC.,</b>	)	<b>Magistrate Judge Karen L. Litkovitz</b>
	)	
Defendant.	)	
	)	

**ESCORT’S NOTICE OF SUPPLEMENTAL AUTHORITY REGARDING  
DEFENDANT’S PARTIAL MOTION TO DISMISS (Dkt. 19)**

Attached hereto as Exhibit 1 is a copy of the recent decision by the United States District Court for the Northern District of Texas in *Escort, Inc. v. Uniden America Corporation*, Case No. 3:18-CV-0161-N, denying Defendant Uniden’s motion to dismiss as to U.S. Patent No. RE39,038 (“the ’038 patent”) pursuant to 35 U.S.C. § 101 based on the court’s finding that the claims of the ’038 patent are not directed to an abstract idea. This ruling relates to Defendant NoLimits Enterprises, Inc.’s pending Partial Motion to Dismiss (Dkt. 19).

Dated: February 5, 2019

Respectfully submitted,

/s/ John D. Luken

John D. Luken  
DINSMORE & SHOHL LLP  
255 E. Fifth Street, Suite 1900  
Cincinnati, OH 45202  
Telephone: (513) 977-8200  
Facsimile: (513) 977-8323  
E-Mail: john.luken@dinslaw.com

Edward R. Nelson, III  
E-Mail: ed@nbafirm.com  
NELSON BUMGARDNER ALBRITTON  
3131 West 7<sup>th</sup> Street, Suite 300  
Fort Worth, TX 76197  
Telephone: (817) 377-9111  
Facsimile: (817)-377-3485

Timothy E. Grochocinski  
E-Mail: tim@nbafirm.com  
Joseph P. Oldaker  
E-Mail: joseph@nbafirm.com  
NELSON BUMGARDNER ALBRITTON  
15020 S. Ravinia Ave., Suite 29  
Orland Park, IL 60462  
Telephone: (708) 675-1975  
Facsimile: (708) 675-1786

COUNSEL FOR PLAINTIFF

**CERTIFICATE OF SERVICE**

On February 5, 2019, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Southern District of Ohio, using the electronic case filing system of the court. I hereby certify that I have served all counsel and/or pro se parties of record electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ John D. Luken

John D. Luken